

May 19, 2014

PRESENT: Philip Bean, Chairman  
Mary-Louise Woolsey, Vice-Chairman  
Jim Waddell, Selectman  
Frederick Welch, Town Manager

ABSENT: Rick Griffin, Selectman  
Rusty Bridle, Selectman

## SALUTE TO THE FLAG

### I. Public Hearing RSA 33:3-d

#### 1. Possible Issuance of Refunding Bonds (1:32)

Mr. Schwotzer commented: have an ongoing relationship with Devine Millimet, which is our Bond Counsel; they have handled TAN's and bonds for the Town in the past; they work with Roosevelt & Cross; discussed how they looked into this about 6 months ago and before the work could be done the bond market changed dramatically; provided them with a summary sheet and the magic number in savings should be greater than 3%; has shown them a summary of the refunding results for bonds which he listed out for the Board; grand total of \$5.1M; projected savings is 6.6%; the estimated savings over the next year going out to 2028 is \$425,000; feels it is in the interest of the Town to pursue this; talked about this being a private placement and explained why; have requested the Boards permission in the form of a resolution which is on their Consent Agenda; explained what the resolution says; if and when they find interested parties they will be back to the Board for the issuance of refunded bonds.

Mrs. Lavin agrees with everything that Mr. Schwotzer has said and thinks this is a good plan.

Selectman Woolsey commented: disappointed that last year when they were unable to do this; thanked them for being creative.

Selectman Woolsey opened the Public Hearing at 7:03 pm.

There were no comments from the public.

Selectman Woolsey MOVED to close the Public Hearing at 7:04 pm SECONDED by Selectman Waddell.

VOTE: 3-0-0

### II. Public Hearing RSA 674:40-a, III Acceptance of Streets as Public Ways (5:45)

#### 1. Quitclaim Deed

- a. Juniper Lane
- b. Nersesian Way

#### 2. Warranty Deed

- a. Huckleberry Lane
- b. Bayberry Lane
- c. Linden Lane

d. Juniper Lane – Small portion of Roadway

Mr. Welch commented: have been working on this area for 3 years; have received deeds for all of these individual streets; went through the details of the tax maps that he has given to the Board.

Atty. Gearreald commented: wants to note that each of these roads were subjects of warrant articles in the 2013 and 2014 which did pass; having the deeds in hand tonight as the Manager has done is a little bit different of a process but is more streamlined.

Mr. Welch added that they do have the Green's to thank and the original sub-divider for this work.

Selectman Woolsey asked Atty. Gearreald to explain the difference between a Quitclaim Deed and a Warranty Deed. Atty. Gearreald commented: a Warranty Deed warrants your title; a Quitclaim Deed gives all the title that one has; explained both deed types in detail; Quitclaim Deed is for the older portion of these roads. Selectman Woolsey commented: this is a vague area that this property occupies; asked about mark on map and wonders if it is related to drainage and Mr. Welch explained no it is where the original Huckleberry ended; ends at Rte. 1A; confirmed with Mr. Welch that he is comfortable with this; asked if Conservation Commission is accepting anything and they are not according to Mr. Welch.

Chairman Bean opened the Public Hearing at 7:12 pm.

There were no comments from the public.

Selectman Woolsey MOVED to close the Public Hearing at 7:13 pm SECONDED by Selectman Waddell.

VOTE: 3-0-0

Selectman Woolsey MOVED under RSA 674:40-a, III to APPROVE the Acceptance of these roads as Public Ways SECONDED by Selectman Waddell.

VOTE: 3-0-0

III. Public Comment Period (13:56)

Charlie Preston, 47 Glade Path, commented: admires how Chairman has been running the meetings; item on Town Manager's report in regards to JOP with DRED; has talked with both Mr. Welch and Mike Housman in regards to possibility of getting some parking spaces at the State Park for workers at the beach; the tradeoff would be to give the State some parking spaces down by the new pump station; this has come up at both the HBAC and Precinct meetings; possibilities of us helping DRED and them helping us; maybe this could be added to JOP.

Jay Diener, Conservation Commission spoke about the rain barrel auction scheduled for this past Saturday; event postponed because of rain; rescheduled for Saturday June 7<sup>th</sup>.

Atty. Gearreald spoke on the subject of the Finance Director Michael Schwotzer is an appointment on tonight's agenda; this will probably be Mr. Schwotzer's last presentation of these reports to the Board; how Mr. Schwotzer started 8 years ago with the Town and one month later the Town Manager left; leaving the Town in his hands as well as the Interim Manager's hands, the wealth of experience he brought with him to the Town; as was

evidenced by his retirement party on Friday; he is held in tremendous affection and the highest esteem and it is well earned; we are fortunate to have him as a consultant; wanted Mr. Schwotzer to be recognized what a valuable asset and a tremendous person he has been for the Town of Hampton.

#### IV. Announcements and Community Calendar (18:40)

Selectman Waddell commented on the amount of improvements that have been made to many of the businesses down at the beach and encourages Hampton residents to go down there and visit these businesses.

Selectman Woolsey spoke on the incredible job done by the 8<sup>th</sup> Graders on the rain barrels; she expressed the Boards condolences to the Brentwood community and to the Police Department of Brentwood for the loss of Officer Arkell, and condolences to his family; she is distressed as she is sure many of us are and it puts in mind for all of us the risk that our public servants and first responders take for us and the risk that they put themselves in; hoping we can get together as a State at some point in time and help to see if we can do something about preventing these types of problems.

Chairman Bean commented well said by Selectman Woolsey and the comments made by Atty. Gearreald about Mr. Schwotzer.

#### V. Consent Agenda (20:39)

1. Resolution Authorizing the Issuance of Refunding Bonds
2. Entertainment Licenses and Posted Permits: The Victorian Inn 430 High Street; Boardwalk Café 139 Ocean Blvd; Beach; North Beach Bar & Grill 931 Ocean Blvd
3. Parade and Public Gathering Licenses: WHS Car Show 05/24; Seacoast Heart Walk 05/31; Hampton Firefighters Memorial Sunday 06/01
4. Library Trustee Full Member Appointment 1-year: Diane Crow
5. Recycling Education Committee Full Member Appointments 1-year: Corinne Baker, Toni Trotzer, Tammy Deland, Norm Silberdick
6. Energy Committee Full Member Appointment 3-year: Sunny Kravitz
7. Highway Safety Committee Full Member Appointment 3-year: Walter Kivlan
8. Recreation Advisory Council Full Member Appointment 3-year: Jeanine St. Germain, Tim Andersen, Sandy Mace
9. Requalification of Veteran's Tax Credit: Hilchey Map/Lot 210/52; Vlahakis Map/Lot 133/68/125; Hewitt Map/Lot 121/7; Decola Map/Lot 304/11; Domin Map/Lot 183/53; Gebhart Map/Lot 298/5; Pitcher Map/Lot 172/6/112; Blair Map/Lot 13/13
10. Requalification of Elderly Tax Exemption: Descoteaux Map/Lot 287/15

Selectman Woolsey MOVED the Consent Agenda SECONDED by Selectman Waddell.

VOTE: 3-0-0

#### VI. Appointments (22:00)

1. Michael Schwotzer, Finance Director (22:02)
  - a. Monthly Financials

As Atty. Gearreald pointed out, this will probably be his last official appearance to review financial statements with the Board, and going forward it will be the new Finance Director Kristi Pulliam.

Mr. Schwotzer explained that what is before them is the report for the month of April; this is the fourth report of the year, so the target is 33.3%; the report is posted on Town website.

Revenue: Total income came in at \$670.7k; motor vehicles came in at \$237.5k, which is \$15.5k above the monthly budget; this puts motor vehicles \$28k above budget plus 1.1%) year to date; Building Permits @ \$34.7k; NH Highway Subsidy @ \$54.0k; State Water Pollution Control Grants @ \$134.5k (related to delayed grant payments/\$22.3k above budget); Departmental @ \$75.8k; Summer Parking Leases @ \$38.8k; Real Estate Trust @ \$58.2k.

Expense: Expense summary shows the year to date expenses by department; operating departments (without debt service but with open POs) were 32.7% of the budget, which is lower (by \$149k) than the month's 33.3% target; majority of departments are below the target level; some of the smaller line items are over the year-to-date target because of the "annual/quarterly effect" where annual contracts or quarterly bills are booked early in the year or the first month of the quarter; in MIS the four equipment related accounts (Repairs & Maintenance thru Replacement Equipment) have a combined budget of \$81.8k, the allocation of the dollars between the accounts was set several years ago but the departmental needs change year to year, therefore it is easiest to report on them as a whole, therefore thru April less than 25% of these four accounts annual budget have been spent; in Personnel Administration the annual Bank Buy-Back Program when combined with the Employee Separation Costs account are \$128k over their YTD target; in Municipal Insurance the Health Insurance is "on target" at 33.3%; the Police Department is at 28.2% overall when the open POs are included, two accounts in Support Services, P/T Special Officers and Summer Coverage – FT, have a combined budget of \$395k and with only \$18.2k being expended to date which is related to the seasonality of this department, this accounts for \$113.2k of the department's favorable variance; the Fire Department is at 31.9% overall when the open POs are included, the four Fire Suppression OT accounts are at 21.4% of the annual budget but this favorable position will shrink as we go thru the summer; Highways and Streets is over its target by 1.66%, this is primarily due to the Snow & Ice Removal costs; Municipal Sanitation continues to run slightly below its target even when the open portion (\$128k) of the annual PO for chemicals is used in the calculation; Warrant Articles passed at Town Meeting, the majority of the Social Services have received their requested funds, the costs for the first of nine month relating to the CBA;s were booked, there was also activity related to paying of several major warrant articles totaling \$351.5k; no major surprises in any of the revolvers.

Selectman Woolsey spoke on the one thing that is bothering her is the SRF money that we should have been paid on an ongoing basis, as the State is starting to dole out these little bits of SRF compensation, is that what they are looking at.

Mr. Schwotzer believes we are looking at the Water Pollution Control money, the understanding that they have had for several years is that the State would compensate for some of the funds related to this, at a point the State continued to accept applications but they stop funding them, the past Legislature funded the list for two years, we received money on three projects, we were receiving zero and now we are receiving a total \$134k.

Ms. Woolsey stated that is her point, the State had a responsibility but was not paying, so this has been on the back of the taxpayers; understands this is not his fault. Mrs. Woolsey thanked him for his courtesy that he extended to her when she served as Chairman of the Budget Committee and as a Selectman, in general, as she pesters him sometime, she really has appreciated working with him and she thanked him.

Mr. Schwotzer added as mentioned before he will continue as a consultant to help with the transition so they will see him floating in and out of the Town Office periodically.

Selectman Waddell asked Mr. Schwotzer if he is happy with how things are going; and thanked him for his work too, mentioned when Mr. Waddell was at the State House and how Mr. Schwotzer had picked up the mistakes that the Retirement System had made.

Mr. Welch it's been an exciting seven years; he has appreciated working with Mike; he is a real professional; he knows his job and what needs to be done; has helped this Town out of more little tragedies than this Town will ever know, and he knows a few of them; his diligence, work, work ethic paid out big for the taxpayers in this community and certainly for the people he worked with; everyone appreciated the time they spent with Mike; thanked him for being here.

Mr. Schwotzer thanked Mr. Welch also; definitely enjoyed working with him and everyone in the Town government; it has been a lot of fun; this has been a great second career for him.

Chairman Bean thanked him on behalf of the entire Town's people, the elected officials of this Town, present and former; they have all been great beneficiaries of his excellence; God speed, God bless, carry on.

2. Michael St. Laurent and Arlon Chaffee Loco Sports (33:29)
  - a. Smuttynose Half Marathon

Chief Sullivan commented that Loco Sports and Mike have been great to work with; confident they can safely conduct the race; real issue for tonight is it is a 13 mile race and the negative convenience impact; they have re-routed the race to try and limit issues they have had before; race will be two loops down at the beach and one loop uptown; this is before the Board to make sure that the Board is comfortable with the impact and for approval.

Mr. St. Laurent explained that it is basically the same half marathon, however the impact at beach will be 50 minutes as opposed to the normal 30 minutes; positive impact because spectators will stay in the beach area; no longer going into North Hampton; talked about some of the roads they will be going on; study done by economic department at UNH; amount of revenue road races generate for the region.

Selectman Woolsey noticed on map that road that connects Woodland to High Street was left off; has made her comments in the past, no more to make tonight.

Selectman Waddell commended them on the great job they do; they do their homework; great work done with charities; thinks it is a great thing for Hampton; great job.

Selectman Waddell MOVED to APPROVE the Smuttynose Half Marathon SECONDED by Selectman Woolsey.

Selectman Woolsey commented that she does not want to hold them up but she is still a little concerned on the streets in the Town.

VOTE: 3-0-0

3. Jay Diener, Conservation Commission & Cindy Willis, Hampton Victory Garden
  - a. Hampton Victory Garden clean-up (37:59)

Mr. Diener is here with Cindy Willis in regards to Victory Garden; would like to do some clearing around the Victory Garden; since is Town land, would to get the Boards blessing.

Ms. Willis is going to assume that everyone is familiar with the Victory Garden; presently they have 40 gardens, a work shed that they keep tools in, underground water pipe; about seven years ago she came to the Board to ask for some help with clearing some brush to the left side of the garden and that is basically what they are back here doing tonight; talked about work that DPW has done on the right side related to a drainage project; has some pictures to show what she is talking about; went through the details of all the pictures; talked about area that Mr. Jacobs said they can come in easily and clear; talked about how you get a garden and how there is little to no turn overs; here to ask permission to have Public Works come and clear the area out when they have time this summer.

Selectman Woolsey has two thoughts here; really concerned about more projects for DPW; questioned if the ownership of the lots is restricted to Hampton residents, Ms. Willis stated it is restricted to Hampton residents; discussed the pile of brush in detail; how much acreage does it take up and it is not a lot according to Mr. Diener; asked about the Cooperage Building on the property.

Mr. Welch pointed out that the structure cannot be taken down without Town meeting vote, nothing structurally is wrong with the building can be secured so that no one can get in; supports them but has real concerns with putting more on this department. They understand that it will be done on Public Works schedule.

Ms. Willis went on to discuss the hazards she is concerned with in regards to the Blake Cooper Shop [aka known as the Cooperage] on this property, as there is a hole in the building. She understands the building is structurally sound but really thinks it is dangerous.

Selectman Waddell has no problem with this as long as they understand it has to be worked out with Public Works.

Selectman Woolsey requested that they see to it that the Cooperage Building at Victory Garden is secured to prevent any intrusion by children or animals with that stipulation and understanding that Public Works will work on a reasonable schedule.

Selectman Woolsey MOVED that they allow them to make the changes proposed and spruce up the garden and the area SECONDED by Selectman Waddell.

VOTE: 3-0-0

## VII. Approval of Minutes (50:53)

1. May 5, 2014

Page 1: 2nd paragraph, 1st line correct spelling of "Violette"

Page 2: Remove all the "Motioned" and use "Moved"

Page 3: 4th paragraph, 2nd line correct spelling of "Devine Millimet"

Page 7: 2nd paragraph, 8th line correct "Mrs. She also aske" to "Mrs. Woolsey also asked"

Selectman Woolsey MOVED to APPROVE the May 05, 2014 minutes as amended  
SECONDED by Selectman Waddell.

VOTE: 3-0-0

VIII. Town Manager's Report (52:53)

1. The Town Clerk's Office will be closed on Wednesday, May 21<sup>st</sup>. Please plan your business with the Town Clerk's Office accordingly.
2. The Town continues to have vacancies in various Boards and Committees, individuals who are interested in serving please contact the Selectmen's Office.
3. The annual budget requests are scheduled for release on May 27<sup>th</sup>, with Town Manager reviews in mid-July. Budgets are tentatively scheduled to be before the Selectmen on August 22<sup>nd</sup>.
4. We are continuing to work at resolving outstanding issues surrounding the acceptance of streets, work is difficult at times, and we continue to make progress slowly.
5. The Church Street Station lot has been finished graded and Public Works is working on scheduling the paving for the parking area.
6. Crews are installing the bathroom facilities at the Church Street parking lot attendants building.
7. The Town owned streetlights installed last fall on Ashworth Avenue, A and B Streets are fully operational. Until has been requested to remove their streetlights.
8. The Hampton Beach Precinct parking lot has been completed.
9. We have met with DRED on the JOP. The Town's changes have been reviewed, and we are awaiting the State's proposals in writing.
10. The update of the Town Code is in progress with General Code.
11. Next Monday begins the Bi-weekly meeting schedule for the Board.

Mr. Welch added: Board approved an Assembly Permit for Winnacunnet High School for an activity and want to make a note since it is for the school there is no fee; received a letter from the Hampton Beach State Park Fair dealing with an activity to be scheduled June 19<sup>th</sup> to the 22<sup>nd</sup> for a fair at the State Park, have notified the State that they need to file for the necessary permits as stated by State law, were told they would take it under advisement, have sent a letter with a copy of the permits, Counsel would like to discuss this issue in a non-public meeting after this meeting; There are a few people who have not paid their land rent, have been sent the final notice, if not paid by June 1<sup>st</sup>, and Counsel is ready to take them to court as a result of an earlier vote of this Board; Right-to-Know presentation at the Precinct which went well according to Police and Fire Chief also mentioned the Right-to-Know Law presentation on May 28<sup>th</sup> at 7 pm which will be televised on Channel 22; have received back the Joint Agreement between the Town and SAU 90 for public TV channel signed by the Attorney General; Master Plan is being updated but the Town is not being included in this process, talked in detail about what is going to be done; with the Chairs permission would like to use Channel 22 on September 11<sup>th</sup> at 7 pm for budget review of General Government, has been booked accordingly; today released the Town's copy of 2015-2020 CIP Report; discussed a hazardous waste spill on Saturday at the Hazardous Waste Clean Up event, problems that were caused since the company did not handle it properly, notified the district that this will be the last time they will hold a Hazardous Waste Day in Hampton.

Selectman Woolsey where he is coming from in regards to hazardous waste. too bad this had to happen; watched the Emergency Management meeting at the Beach and the Chief's did a marvelous job, good opportunity to broadcast and have some of the public's questions answered; wonders what's happening on Mary Batchelder Road in regards to the trucks,

Mr. Welch stated that they are issuing summons to the Trucks to go to court; Mrs. Woolsey mentioned that she is getting complaints about sound problems with some of the school events being broadcast on cable. Mr. Welch understands that it is being taped on portable devices and how this is out of our hands.

Mrs. Woolsey asked about the beach parking spaces and where the accessible parking spaces have gone. Mr. Welch commented that they have talked to the State about this and how handicap individuals can park at any State parking space for no cost, and all day.

Mrs. Woolsey is excited about bathroom at Church Street; asked about the JOP with DRED and wonders if we will ever see it.

Selectman Waddell also asked about the JOP status and it appears to be in the State's hands. Mr. Welch explained how in the past the State's standard procedure has been that the Town cannot do anything without their permission. He talked about the Town Meeting vote that passed regarding waste and the problems the waste was causing.

Selectman Waddell commented about accessible parking and are they covered under ADA. Mr. Welch spoke on Accessible parking, it is a State statute. He also reiterated that anyone with an Accessible parking placard can park at any parking space for free even at the beach.

#### IX. Old Business (1:09:39)

Selectman Woolsey commented on how this is the State of NH that wasted \$84,000 (and they were warned) on putting in lockers down at the State Facility, that this is the State of NH that refuses to put supervisors anywhere on their property; that this is the State of NH that refuses to pay its share of the retirement contribution; that this is the State of NH that is dribbling funds back to communities who participated in the SRF; the State is not high on her nice list; wants to propose another amendment to the JOP next year to completely remove them from use of the Transfer Station.

#### X. New Business – None

#### XI. Closing Comments (1:11:13)

Selectman Woolsey wished everyone a happy Memorial Day Weekend.

#### XII. Adjournment of Public Meeting

Selectman Woolsey MOVED to ADJOURN the Public Meeting at 8:08 PM SECONDED by Selectman Waddell.

VOTE: 3-0-0

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Chairman